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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NAWAZ, ASAD M

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/839,066	Applicant(s) MAURYA ET AL.	
	Examiner ASAD M. NAWAZ	Art Unit 2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-39 and 42-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-39 and 42-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the RCE filed 5/08/09. Claims 31-39 and 42-50 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 31-39 and 42-50 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claims 36 and 47 objected to because of the following informalities: they contain numerous grammatical errors. Applicant's are encouraged to carefully review the claims and make appropriate corrections. Additionally, claims 1-29 are required to have a proper identifier. The claims cannot be canceled and at the same time be pending as withdrawn claims. Appropriate corrections are required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 31-39 and 42-50 are rejected under 35 U.S.C. 103(a) as being taught by Park (USPAT: 6937588) further in view of Hafsteinsson (USPGPUB: 2004/0172484).

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As to claim 36, Park teaches a handheld computer system to access content for a user, comprising: a handheld computer (Fig 2b, 210) capable of transmitting a request for content and lacking the capability to access the content in an unformatted form, a first server in communication with the handheld computer (col 8, lines 24-33; the push server), a second server with formatting capability to format the content of the request in communication with the first server, to receive a request for content, the second server being configured to send the formatted request to the source of the content (Fig 2B, 230; col 8, lines 1-56)

A third server in communication with both the first server and with the second server over a wireless communication link and the third server being a source for the content requested by the handheld computer and the third server receiving the request from the second server and delivering the content back to the second server (Fig 2B; 250; col 8, lines 1-56), the second server further configured to format the content into a form for delivery to a handheld computer (Abstract; WAP conversion), wherein the first server is configured to retrieve formatted content from the second server and send the formatted content to the handheld computer (abstract, col 8, lines 13-33)

and the handheld computer configured to receive the requested formatted content, from the first server and accordingly to provide access to the content by the user using the handheld computer (col 2, line 59 to col 4 line 32).

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However Park does not disclose the third server being in wireless communication. Hafsteinsson teaches a wireless content delivery system similar to Park (Fig 2, 0006-0007, 0009-0016).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Hafsteinsson into those of Park to make the system more available and efficient. A device-independent, mobile system can serve content regardless of the physical limitations of the formatting service.

As to claim 31, Park teaches the system of claim 36 wherein the first server is configured to receive the request for content from the handheld computer (col 8, lines 24-34).

As to claim 32, Park teaches the system of claim 36, wherein the handheld computer is in wireless communication with the first server (fig 2b).

As to claim 33, Park teaches the system of claim 31, wherein the first server is configured to retrieve the content from the third server (Fig 2b; col 8, lines 1-56).

As to claim 34, Park teaches the system of claim 33, wherein the first server is configured to provide the content to the second server (col 10, lines 41-46).

As to claim 35, Park teaches the system of claim 34, wherein the second server is configured to convert the content to a converted format suitable for communications to the handheld computer (col 11, lines 8-29).

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As to claim 37, Park teaches the system of claim 31 wherein the first searver is configured to communicate a link to the content on the third server to the se4cond server (fig 2B; col 10, lines 41-46).

As to claim 38, Park teaches the system of claim 37 wherein the second server is configured to retrieve the content from the third server (Fig 2b; col 8, lines 1-56).

As to claim 39, Park teaches the system of claim 38, wherein the second server is configured to convert the content to a converted format suitable for communication to the handheld computer (abstract).

Claims 42-50 are rejected under similar rationale as the above-mentioned claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASAD M. NAWAZ whose telephone number is (571)272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Asad M Nawaz/
Examiner, Art Unit 2455